

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

**MODIFIED
CHAPTER 13 PLAN**

In Re: **Mark Mavis**

Dated: 6/15/04

DEBTOR(S).

Case No. 04-41383

PAYMENTS BY DEBTOR -

- a. As of the date of this plan, the debtor has paid the trustee \$ 5,480.
- b. After the date of this plan, the debtor will pay the trustee \$ 5,200. per month for 58 months, beginning within 30 days after the filing of this plan for a total of \$ 301,600. If the proposed plan is less than 36 months, then the payments shall continue until all claims are paid in full, or for 36 months, whichever is less.
- c. The debtor will also pay the trustee such additional funds as may be necessary to pay the Trustee's fee in full, if it increases during the term of the plan.
- d. The debtor will pay the trustee a total of \$ 307,080. line 1(a) + line (b) + line 1(c)].

2. PAYMENTS BY TRUSTEE - The trustee will make payments only to creditors for which proofs of claim have been filed, make payments monthly as available, and collect the trustee's percentage fee of 10% for a total of \$ 18,424. (line 1(d)x.10] or such lesser percentage as may be fixed by the Attorney General. For purposes of this plan, month one (1) is the month following the month in which the debtor makes the debtor's first payment. Unless ordered otherwise, the trustee will not make any payments until the plan is confirmed. Payments will accumulate and be paid following confirmation.

3. PRIORITY CLAIMS - The trustee shall pay in full all claims entitled to priority under §507, including the following. The amounts listed are estimates only. The trustee will pay the amounts actually allowed.

<i>Creditor</i>	<i>Estimated Claim</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a. Attorney Fees	\$ <u>-</u>	\$ <u>-</u>	<u>-</u>	<u>-</u>	\$ <u>-</u>
b. Internal Revenue Service	\$ <u>131,499.</u>	\$ <u>pro rata</u>	<u>29</u>	<u>-</u>	\$ <u>131,499.</u>
c. Minn. Dept. Of Revenue	\$ <u>15,000.</u>	\$ <u>pro rata</u>	<u>29</u>	<u>-</u>	\$ <u>15,000.</u>
d. <u>-</u>	\$ <u>-</u>	\$ <u>-</u>	<u>-</u>	<u>-</u>	\$ <u>-</u>
e. TOTAL					\$ <u>146,499.</u>

4. LONG-TERM SECURED CLAIMS NOT IN DEFAULT - The following creditors have secured claims. Payments are current and the debtor will continue to make all payments which come due after the date the petition was filed directly to the creditors. The creditors will retain their liens.

a. Alegis Group (2nd Mortgage)

b. -

5. HOME MORTGAGES IN DEFAULT § 1322(b)(5)] - The trustee will cure defaults with **NO INTEREST** on claims secured only by a security interest in real property that is the debtor's principal residence as follows. The debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

<i>Creditor</i>	<i>Amount of Default</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a. Wells Fargo	\$ <u>59,783*</u>	\$ <u>4,643.</u>	<u>1</u>	<u>12</u>	\$ <u>59,783.</u>
Real Financial					
b. Center	\$ <u>3,000.</u>	\$ <u>245.</u>	<u>1</u>	<u>12</u>	\$ <u>3,000.</u>
c. <u>-</u>	\$ <u>-</u>	\$ <u>-</u>	<u>-</u>	<u>-</u>	\$ <u>-</u>
d. TOTAL					\$ <u>62,783.</u>

6. OTHER LONG-TERM SECURED CLAIMS IN DEFAULT (§1322(b)(5)) -The trustee will cure defaults (plus interest at the rate of 8% per annum) on other claims as follows and the debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

Creditor	Interest Rate	Amount of Default	Monthly Payments	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. <u>IRS</u>	<u>8 %</u>	<u>\$67,761.</u>	<u>\$4,888.</u>	<u>13</u>	<u>16</u>	<u>\$ 77,356.</u>
b. _____	____%	\$ _____	\$ _____	_____	_____	\$ _____
c. TOTAL						<u>\$ 77,356.</u>

7. OTHER SECURED CLAIMS (§1325(a))- The trustee will make payments to the following secured creditors having a value as of confirmation equal to the allowed amount of the creditor's secured claim using a discount rate of 8 %, or the rate per annum stated below. The creditor's allowed secured claim shall be the creditor's allowed claim or the value of the creditor's interest in the debtor's property, whichever is less. The creditors shall retain their liens. NOTE: NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. §1327 AND CONFIRMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM UNDER 11 U.S.C. § 505(a).

Creditor	Interest rate	Claim amount	Secured Claim	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. _____	____%	\$ _____	\$ _____	\$ _____	_____	_____	\$ _____
b. _____	____%	\$ _____	\$ _____	\$ _____	_____	_____	\$ _____
c. _____	____%	\$ _____	\$ _____	\$ _____	_____	_____	\$ _____
d. TOTAL							<u>\$ 0</u>

8. SEPARATE CLASS OF UNSECURED CREDITORS-In addition to the class of unsecured creditors specified in ¶ 9, there shall be a separate class of nonpriority unsecured creditors described as follows: _____

a. The debtor estimates that the total claims in this class are \$ 0

b. The trustee will pay this class \$ Per claim

9. TIMELY FILED UNSECURED CREDITORS- The trustee will pay holders of nonpriority unsecured claims for which proof of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 4, 5, 6, 7 & 8 their pro rata share of approximately \$ 2,018. (line 1(d) minus lines 2, 3 (e), 5 (d), 6 (d), 7 (d), and 8 (b)).

a. The debtor estimates that the total unsecured claims held by creditors listed in ¶ 7 are \$ 0

b. The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 7 and ¶ 8 are \$ 40,779.

c. Total estimated unsecured claims are \$ 40,779. (line 9(a) and line 9(b)).

10. TARDILY-FILED UNSECURED CREDITORS-All money paid by the debtor to the trustee under ¶ 1, but not distributed by the trustee under ¶ 2, 3, 5, 6, 7, 8 or 9 shall be paid to the holders of nonpriority unsecured claims for which proofs of claim were tardily filed.

11. OTHER PROVISIONS-Any funds not allocated above may be distributed at the trustee's discretion. *Upon completion of payment of the secured portion of any claim, the property securing said claim shall vest in the debtor free and clear of any lien, claim or interest of the secured creditor (IRS excepted). Collection of post-petition child support obligations by wage withholding or proceedings to establish or modify child support obligations may commence without modifying the automatic stay. Any claim for child support deemed not priority shall be paid as a separate class. ***\$5,151.00 funds are currently on hand with the trustee to be released to Wells Fargo Home Mortgage upon confirmation. **1984 Searay Boat has been sold. Proceeds from sale will be used to pay off the lien secured by the boat as well as the other three notes thru Real Financial Center.**

12. SUMMARY OF PAYMENTS -

Trustee's fee (line 2)	\$ 18,424.
Priority Claims (line 3(e))	\$146,499.
Home Mortgage Defaults (line 5(d))	\$ 62,783.
Long Term Debt Defaults (line 6(c))	\$ 77,356.
Other Secured Claims (line 7(d))	\$ -
Separate Class (line 8(b))	\$ -
Unsecured Creditors (line 9(c))	\$ 2,018.
TOTAL (must equal line 1(d))	<u>\$307,080.</u>

Kingsbury & Associates, Ltd.
David D. Kingsbury, #211060
Dana A. Dullum, #0285225 *
14827 Energy Way
Apple Valley, MN 55124
(952) 432-4388

Signed /s/ Mark R. Mavis
Debtor
/s/ N/A
Joint Debtor

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

Mark R. Mavis,

Debtor(s)

**UNSWORN DECLARATION OF
PROOF OF SERVICE**

Case No. BKY 04-41383

I, Dana A. Dullum, of the law firm of Kingsbury & Associates, Attorneys licensed to practice law in this Court, with an office address of 14827 Energy Way, Apple Valley MN, 55124, declare that on June 17, 2004, I served the annexed Modified Plan and Notice of Hearing & Motion to Confirm Modified Plan upon each of the entities named below either personally (as indicated), by fax, or by mailing to each of them a copy thereof by enclosing same in envelope with first class postage prepaid and depositing same in the post office at Apple Valley, MN, addressed to each of them as follows:

Copy to Debtor:

Mark R. Mavis
19085 Homestead Circle (via fax)
Eden Prairie, MN 55346

Copy to United States Trustee:

United States Trustee
1015 U.S. Courthouse (via facsimile)
300 South 4th St.
Mpls, MN 55415

Copy to Trustee:

Jasmine Z Keller
12 S 6th St. Ste 310 (via facsimile)
Mpls, MN 55402

Copy to Creditor:

IRS
c/o Roylene A. Champeaux (via fax)
300 S. 4th St. #600
Minneapolis, MN 55415

Copy to Creditor:

Wells Fargo Home Mortgage
c/o Paul A. Weingarden (via fax)
4500 Park Glen Rd. #310
Minneapolis, MN 55416

Copy to Creditor:

Real Financial Center
c/o Linda J. Jungers (via fax)
430 Oak Grove St. #200
Minneapolis, MN 55403

Copy to all Creditors: *See attached List
and I declare, under penalty of perjury, that the foregoing is true and correct.

Date: June 17, 2004

Signed: /e/ Dana A. Dullum
Dana A. Dullum

ALEGIS GROUP
PO BOX 10497
GREENVILLE SC 29603

GMAC
3500 W 80TH ST #300
MINNEAPOLIS MN 55431

IRS
316 N ROBERT ST #320
ATTN STOP 5700EG
ST PAUL MN 55101

MINNEGASCO
PO BOX 1297
MPLS MN 55472

MN DEPT OF REVENUE
551 BKY SECTION CEU DEPT
PO BOX 64447
ST PAUL MN 55164-0447

REAL FINANCIAL CENTER
PO BOX 1197
MPLS MN 55440

THOMAS J REITER ESQ
6 WEST 5TH ST 7TH FLOOR
ST PAUL MN 55102-1420

WELLS FARGO HOME MORTGAGE
PO BOX 6417
CAROL STREAM IL 60197

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

Mark R. Mavis

Debtor(s).

SIGNATURE DECLARATION

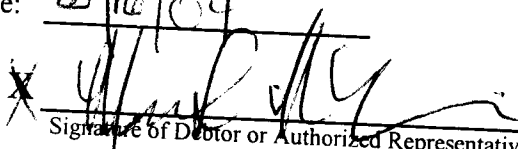
Case No. 04-41383

- ☐ PETITION, SCHEDULES & STATEMENTS
☐ CHAPTER 13 PLAN
☐ SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION
☐ AMENDMENT TO PETITION, SCHEDULES & STATEMENTS
☒ MODIFIED CHAPTER 13 PLAN
☒ OTHER (Please describe: NOTICE OF HEARING AND MOTION TO CONFIRM MODIFIED PLAN)

I [We], the undersigned debtor(s) or authorized representative of the debtor, *make the following*
declarations under penalty of perjury:

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- **[individual debtors only]** If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- **[corporate and partnership debtors only]** I have been authorized to file this petition on behalf of the debtor.

Date: 6/16/04

☒ 
Signature of Debtor or Authorized Representative

Mark R. Mavis

Printed Name of Debtor or Authorized Representative

☒ N/A
Signature of Joint Debtor

N/A

Printed Name of Joint Debtor